

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUAN DAVILA-BAJANA,)	
Plaintiff,)	
)	
v.)	Case No. C.A. 04-253 Erie
)	
TIM HOLOHAN, et al.,)	
Defendant.)	

MOTION FOR EXTENSION OF TIME

NOW COMES, the Plaintiff, Juan Davila-Bajana, and appearing pro se, hereby moves this Court to grant an extension of time, for thirty days, or up to and including December 29, 2005, in which to file a response to the Defendants' Motion to Dismiss (Doc. #16). As grounds for granting same, the Plaintiff respectfully presents:

1. This Court, by Order issued November 17, 2005, Ordered that the Plaintiff respond to the Defendants' motion to dismiss.

2. Plaintiff is a pro se litigant in this matter. He is not a lawyer, nor is he trained in legal procedure. In addition, Plaintiff is incarcerated in the Federal Bureau of Prisons at the Federal Correctional Institution, McKean County. PA., and as such is bound to the strict prison regime, which limits access to the law library, etc.


3. Because of such, the Plaintiff needs the additional time in which to properly research and compile his pleadings to this Court. In addition to merely responding to the Defendants' motion to dismiss, the Plaintiff may need to move this Court for leave to amend the complaint pursuant to Fed.Civ.P. Rule 15.

4. The granting of said motion will not prejudice any party herein. Nor is said motion made in bad faith.

WHEREFORE, facts and premises considered, the Plaintiff prays that this Court grant this motion as moved herein.

Dated: November 29, 2005

Respectfully submitted:

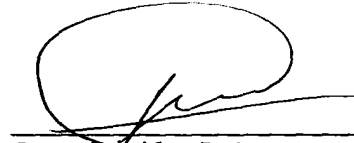


Juan Davila-Bajana
Reg. No. 47580-053
FCI McKean
P.O. Box 8000
Bradford, PA. 16701-0980

CERTIFICATE OF SERVICE

I do hereby certify that on this the 29th day of November, 2005, I placed in the U.S. Mail, first-class postage prepaid, a true and correct copy of this pleading for delivery to counsel for the Defendants, at:

Office of the United States Attorney
Western District of Pennsylvania
U.S. Post Office and Courthouse
700 Grant Street, Suite 400
Pittsburgh, PA. 16701-0980



Juan Davila-Bajana